

To: Gray, Heather[Gray.Heather@epa.gov]
From: Eiseman, Robin
Sent: Wed 1/22/2014 3:14:39 PM
Subject: FW: Freedom Industries, Inc. - Coordination of Investigations, etc.
ENV ENFORCEMENT-#2424144-v1-freedom evidence motion.PDF
ENV ENFORCEMENT-#2424142-v1-freedom merger doc.PDF
ENV ENFORCEMENT-#2424141-v1-freedom wva order 2.PDF
ENV ENFORCEMENT-#2424140-v1-freedom wva order 1.PDF

We are speaking at 11. I now have a copy of the 2 WVDEP orders, which were filed w/ the bankruptcy court.

Ex. 5 - Deliberative Freedom Evidence Motion, filed by one of the parties in the bankruptcy asking the judge to order Freedom to not alter or modify the tanks and other structures/equipment. However, in its request, it does provide an exception for “alterations or modifications made to stop or clean up the chemical spill.”

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From: Tenenbaum, Alan (ENRD) [mailto:Alan.Tenenbaum@usdoj.gov]
Sent: Wednesday, January 22, 2014 9:50 AM
To: Eiseman, Robin; jeffrey.Sands@usdoj.gov; Call, Gary (USAWVS); Van Eaton, Josh (ENRD)
Subject: RE: Freedom Industries, Inc. - Coordination of Investigations, etc.

Ok, 11:00, we can use

Ex. 6 - Personal Privacy

Attached are: 2 West Virginia orders, the merger document creating freedom, and a motion by a private creditor to preserve evidence.

From: Eiseman, Robin [mailto:Eiseman.Robin@epa.gov]
Sent: Wednesday, January 22, 2014 9:47 AM
To: Sands, Jeffrey (ENRD); Call, Gary (USAWVS); Tenenbaum, Alan (ENRD); Van Eaton, Josh (ENRD)
Subject: RE: Freedom Industries, Inc. - Coordination of Investigations, etc.

Our office is closed and I'm home, so I'm good for whatever times works with you guys.

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From: Sands, Jeffrey (ENRD) [<mailto:Jeffrey.Sands@usdoj.gov>]

Sent: Wednesday, January 22, 2014 9:44 AM

To: Eiseman, Robin; Call, Gary (USAWVS); Alan.Tenenbaum@usdoj.gov; Van Eaton, Josh (ENRD)

Subject: Re: Freedom Industries, Inc. - Coordination of Investigations, etc.

My trains are running late today (modified schedule), so I'd prefer a little later (11:00?), but if Josh and Alan are available, feel free to go forward without me.

Sent Using U.S. DOJ/ENRD BES 5 Server

From: Eiseman, Robin [<mailto:Eiseman.Robin@epa.gov>]

Sent: Wednesday, January 22, 2014 09:34 AM

To: Call, Gary (USAWVS); Tenenbaum, Alan (ENRD); Sands, Jeffrey (ENRD); Van Eaton, Josh (ENRD)

Subject: RE: Freedom Industries, Inc. - Coordination of Investigations, etc.

Does 10 work for everyone? Or would you prefer to speak later?

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From: Call, Gary (USAWVS) <Gary.Call@usdoj.gov>

Sent: Wednesday, January 22, 2014 8:17 AM

To: Alan.Tenenbaum@usdoj.gov; Eiseman, Robin; jeffrey.Sands@usdoj.gov; Van Eaton, Josh (ENRD)

Subject: RE: Freedom Industries, Inc. - Coordination of Investigations, etc.

I have several bankruptcy hearings today starting at 10:00 & running to at least 3:30. My availability through the day will be hit-or-miss.

Since things are happening quickly, please feel free to carry on without me. You can fill me in later.

Gary.

From: Tenenbaum, Alan (ENRD) [<mailto:Alan.Tenenbaum@usdoj.gov>]
Sent: Wednesday, January 22, 2014 8:11 AM
To: Call, Gary (USAWVS); 'Eiseman.Robin@epa.gov'; Sands, Jeffrey (ENRD); Van Eaton, Josh (ENRD)
Subject: Re: Freedom Industries, Inc. - Coordination of Investigations, etc.

Will do. Yesterday's hearing went until after 7. It was difficult to hear. They reached a compromise of some kind that was hard to follow. We will have a call later this morning and include you.

Sent Using U.S. DOJ/ENRD BES 5 Server

From: Call, Gary (USAWVS)
Sent: Wednesday, January 22, 2014 07:55 AM
To: Eiseman, Robin <Eiseman.Robin@epa.gov>; Tenenbaum, Alan (ENRD); Sands, Jeffrey (ENRD); Van Eaton, Josh (ENRD)
Subject: Freedom Industries, Inc. - Coordination of Investigations, etc.

All:

My US Attorney has asked me to ask you to coordinate all investigative activities through our Office. I don't have a contact person yet, but I will serve as the contact for the time being.

Ex. 5 - Deliberative

Since several federal agencies appear to be involved in this, I am going to note my appearance this morning on behalf of the US so I can keep track of ecf filings. You may want to note your appearances so you can get the ecf notices directly. I will be glad to serve as your local counsel.

I am back in my office today if you need anything.

Thanks for all your assistance with this.

Gary L. Call

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